



General Assembly

**Substitute Bill No. 395**

February Session, 2010

\* \_\_\_\_SB00395CE\_\_\_\_031910\_\_\_\_ \*

**AN ACT CONCERNING CONNECTICUT EXPORTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 32-1c of the 2010 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective July 1, 2010*):

4 (a) In addition to any other powers, duties and responsibilities  
5 provided for in this chapter, chapter 131, chapter 579 and section 4-8  
6 and subsection (a) of section 10-409, the commissioner shall have the  
7 following powers, duties and responsibilities: (1) To administer and  
8 direct the operations of the Department of Economic and Community  
9 Development; (2) to report annually to the Governor, as provided in  
10 section 4-60; (3) to conduct and administer the research and planning  
11 functions necessary to carry out the purposes of said chapters and  
12 sections; (4) to encourage and promote the development of industry  
13 and business in the state and to investigate, study and undertake ways  
14 and means of promoting and encouraging the prosperous  
15 development and protection of the legitimate interest and welfare of  
16 Connecticut business, industry and commerce, within and outside the  
17 state; (5) to serve, ex officio as a director on the board of Connecticut  
18 Innovations, Incorporated; (6) to serve as a member of the Connecticut  
19 Energy Advisory Board, the Energy Conservation Management Board  
20 and the Committee of Concern for Connecticut Jobs; (7) to promote

21 and encourage the location and development of new business in the  
22 state as well as the maintenance and expansion of existing business  
23 and for that purpose to cooperate with state and local agencies and  
24 individuals both within and outside the state; (8) to plan and conduct a  
25 program of information and publicity designed to attract tourists,  
26 visitors and other interested persons from outside the state to this state  
27 and also to encourage and coordinate the efforts of other public and  
28 private organizations or groups of citizens to publicize the facilities  
29 and attractions of the state for the same purposes; (9) to advise and  
30 cooperate with municipalities, persons and local planning agencies  
31 within the state for the purpose of promoting coordination between  
32 the state and such municipalities as to plans and development; (10) to  
33 assign adequate staff to provide technical assistance to businesses in  
34 the state in exporting, manufacturing and cluster-based initiatives and  
35 to provide guidance and advice on regulatory matters; (11) to provide  
36 all necessary staff, services, accounting and office space and equipment  
37 required by the Connecticut Development Authority subject to the  
38 provisions of section 4b-23, where real estate acquisitions are involved;  
39 [(11)] (12) to aid minority businesses in their development; [(12)] (13) to  
40 appoint such assistants, experts, technicians and clerical staff, subject  
41 to the provisions of chapter 67, as are necessary to carry out the  
42 purposes of said chapters and sections; [(13)] (14) to employ other  
43 consultants and assistants on a contract or other basis for rendering  
44 financial, technical or other assistance and advice; [(14)] (15) to acquire  
45 or lease facilities located outside the state subject to the provisions of  
46 section 4b-23; [(15)] (16) to advise and inform municipal officials  
47 concerning economic development and collect and disseminate  
48 information pertaining thereto, including information about federal,  
49 state and private assistance programs and services pertaining thereto;  
50 [(16)] (17) to inquire into the utilization of state government resources  
51 and coordinate federal and state activities for assistance in and  
52 solution of problems of economic development and to inform and  
53 advise the Governor about and propose legislation concerning such  
54 problems; [(17)] (18) to conduct, encourage and maintain research and  
55 studies relating to industrial and commercial development; [(18)] (19)

56 to prepare and review model ordinances and charters relating to these  
57 areas; [(19)] (20) to maintain an inventory of data and information and  
58 act as a clearinghouse and referral agency for information on state and  
59 federal programs and services relative to the purpose set forth herein.  
60 The inventory shall include information on all federal programs of  
61 financial assistance for defense conversion projects and other projects  
62 consistent with a defense conversion strategy and shall identify  
63 businesses which would be eligible for such assistance and provide  
64 notification to such business of such programs; [(20)] (21) to conduct,  
65 encourage and maintain research and studies and advise municipal  
66 officials about forms of cooperation between public and private  
67 agencies designed to advance economic development; [(21)] (22) to  
68 promote and assist the formation of municipal and other agencies  
69 appropriate to the purposes of this chapter; [(22)] (23) to require notice  
70 of the submission of all applications by municipalities and any agency  
71 thereof for federal and state financial assistance for economic  
72 development programs as relate to the purposes of this chapter; [(23)]  
73 (24) with the approval of the Commissioner of Administrative  
74 Services, to reimburse any employee of the department, including the  
75 commissioner, for reasonable business expenses, including but not  
76 limited to, mileage, travel, lodging, and entertainment of business  
77 prospects and other persons to the extent necessary or advisable to  
78 carry out the purposes of subdivisions (4), (7), (8) and [(11)] 12 of this  
79 subsection and other provisions of this chapter; [(24)] (25) to assist in  
80 resolving solid waste management issues; [(25)] (26) (A) to serve as an  
81 information clearinghouse for various public and private programs  
82 available to assist businesses, (B) to identify specific micro businesses,  
83 as defined in section 32-344, whose growth and success could benefit  
84 from state or private assistance and contact such small businesses in  
85 order to (i) identify their needs, (ii) provide information about public  
86 and private programs for meeting such needs, including, but not  
87 limited to, technical assistance, job training and financial assistance,  
88 and (iii) arrange for the provision of such assistance to such businesses;  
89 [and (26)] (27) to enhance and promote the digital media and motion  
90 picture industries in the state; (28) to develop a marketing campaign

91 that promotes Connecticut as a place of innovation; and (29) to execute  
92 the steps necessary to implement the knowledge corridor agreement  
93 with Massachusetts to promote the biomedical device industry.

94 (b) The Commissioner of Economic and Community Development  
95 may make available technical and financial assistance and advisory  
96 services to any appropriate agency, authority or commission for  
97 planning and other functions pertinent to economic development  
98 provided any financial assistance to a regional planning agency or a  
99 regional council of elected officials shall have the prior approval of the  
100 Secretary of the Office of Policy and Management or his designee.  
101 Financial assistance shall be rendered upon such contractual  
102 arrangements as may be agreed upon by the commissioner and any  
103 such agency, authority or commission in accordance with their  
104 respective needs, and the commissioner may determine the  
105 qualifications of personnel or consultants to be engaged for such  
106 assistance.

107 (c) The Commissioner of Economic and Community Development  
108 [is authorized to] shall do all things necessary to apply for, qualify for  
109 and accept any federal funds made available or allotted under any  
110 federal act for planning or any other projects, programs or activities  
111 which may be established by federal law, for any of the purposes, or  
112 activities related thereto, of the Department of Economic and  
113 Community Development and said Commissioner of Economic and  
114 Community Development shall administer any such funds allotted to  
115 the department in accordance with federal law. The commissioner may  
116 enter into contracts with the federal government concerning the use  
117 and repayment of such funds under any such federal act, the  
118 prosecution of the work under any such contract and the establishment  
119 of any disbursement from a separate account in which federal and  
120 state funds estimated to be required for plan preparation or other  
121 eligible activities under such federal act shall be kept. Said account  
122 shall not be a part of the General Fund of the state or any subdivision  
123 of the state. The commissioner shall report on activities to apply for,  
124 qualify for and accept funds under this subsection in its annual report

125 submitted pursuant to section 32-1m.

126 (d) The powers and duties enumerated in this section shall be in  
127 addition to and shall not limit any other powers or duties of the  
128 Commissioner of Economic and Community Development contained  
129 in any other law.

130 Sec. 2. Section 32-222 of the general statutes is repealed and the  
131 following is substituted in lieu thereof (*Effective July 1, 2010*):

132 As used in sections 32-220 to 32-234, inclusive: (a) "Business  
133 development project" means a project undertaken by an eligible  
134 applicant involving one or more of the following:

135 (1) The construction, substantial renovation, improvement or  
136 expansion of a facility;

137 (2) The acquisition of new machinery and equipment;

138 (3) The acquisition, improvement, demolition, cultivation or  
139 disposition of real property, or combinations thereof, or the  
140 remediation of contaminated real property;

141 (4) The creation at a facility, within twenty-four months of the  
142 initiation of a hiring program, not less than ten new jobs or an increase  
143 in the number of persons employed at the facility of twenty per cent,  
144 whichever is greater;

145 (5) Economic diversification of the economy of an area of the state or  
146 manufacturing or other economic base business where such area or  
147 business is substantially reliant upon defense and related industry;

148 (6) Participation in the avoidance of an imminent plant closing or  
149 relocation by a manufacturing or other economic base business or  
150 assist or improve the economy of an area of the state which has been or  
151 is likely to be significantly and adversely impacted by one or more  
152 major plant closings or relocations;

153 (7) Support research and development or commercialization of  
154 technologies, products, processes or techniques of a manufacturing or  
155 other economic base business;

156 (8) Creation or support of organizations and activities that provide  
157 technical and engineering assistance to small manufacturers or other  
158 economic base businesses to assist them with the design, testing,  
159 manufacture and marketing of new products, the exporting of state  
160 products and services, and the instruction and implementation of new  
161 techniques and technologies;

162 (9) Support of substantial workforce development efforts;

163 (10) Promotion of community conservation or development or  
164 improvement of the quality of life for urban residents of the state; [or]

165 (11) Promotion of the revitalization of underutilized, state-owned  
166 former railroad depots and areas adjacent to such depots;

167 (12) Promotion of export activities, including sponsorship of  
168 programs that support exportation, assistance to companies in  
169 accessing federal Department of Commerce services, and provision of  
170 marketing materials and web site improvements for exporters;

171 (b) "Business support services" means activities related to a  
172 municipal development project or business development project which  
173 support the economic competitiveness of manufacturing or exporting  
174 or economic base businesses or which further the interests of the state,  
175 including, but not limited to, facilities and services related to day care,  
176 job training, education, transportation, employee housing, energy  
177 conservation, pollution control and recycling, provided activities  
178 related to employee housing shall be limited to feasibility and  
179 implementation studies;

180 (c) "Commissioner" means the Commissioner of Economic and  
181 Community Development;

182 (d) "Economic base business" means a business that the

183 commissioner determines will materially contribute to the economy of  
184 the state by creating or retaining jobs, exporting products or services  
185 beyond the state's boundaries, encouraging innovation in products or  
186 services, adding value to products or services or otherwise supporting  
187 or enhancing existing activities important to the economy of the state;

188 (e) "Economic cluster" means an economic cluster, as defined in  
189 section 32-4e, recognized by the commissioner;

190 (f) "Department" means the Department of Economic and  
191 Community Development;

192 (g) "Development plan" means a plan for a municipal development  
193 project prepared in accordance with the provisions of subsection (b) of  
194 section 32-223;

195 (h) "Eligible applicant" means any for-profit or nonprofit  
196 organization, or any combination thereof, any municipality, regional  
197 planning agency or any combination thereof and further provided, in  
198 the case of a loan made by the Connecticut Development Authority in  
199 which the department purchases a participation interest, "eligible  
200 applicant" means the for-profit or nonprofit organization, or any  
201 combination thereof, that will receive the proceeds of such loan;

202 (i) "Financial assistance" means grants, funds for the purchase of  
203 insurance policies and payment of deductibles for insurance policies to  
204 cover remediation costs, extensions of credit, loans or loan guarantees,  
205 participation interests in loans made to eligible applicants by the  
206 Connecticut Development Authority or combinations thereof;

207 (j) "For-profit organization" means a for-profit partnership or sole  
208 proprietorship or corporation or limited liability company which is an  
209 economic base business or has a North American Industrial  
210 Classification code of 311111 through 339999 or 493110, 493120, 493130,  
211 493190, 511210, 512110, 512120, 512191, 522210, 522293, 522294, 522298,  
212 522310, 522320, 522390, 523110, 523120, 523130, 523140, 523210, 523910,  
213 524113, 524114, 524126, 524127, 524128, 524130, 524292, 541711, 541712,

214 551111, 551112, 551114, 561422, 611310, 611410, 611420, 611430, 611513,  
215 611519, 611710 and 624410 or any business that is part of an economic  
216 cluster, or any establishment or auxiliary or operating unit thereof, as  
217 defined in the North American Industrial Classification System  
218 Manual, which has demonstrated to the satisfaction of the  
219 commissioner that it has the qualifications, including financial  
220 qualifications, necessary to carry out a business development project;

221 (k) "Implementing agency" means one of the following agencies  
222 designated by a municipality under section 32-223: (1) An economic  
223 development commission, redevelopment agency; sewer authority or  
224 sewer commission; public works commission; water authority or water  
225 commission; port authority or port commission or harbor authority or  
226 harbor commission; parking authority or parking commission; (2) a  
227 nonprofit development corporation; or (3) any other agency  
228 designated and authorized by a municipality to undertake a project  
229 and approved by the commissioner;

230 (l) "Municipal development project" means a business development  
231 project through which real property is acquired by a municipality or  
232 implementing agency as part of such project;

233 (m) "Municipality" means a town, city, consolidated town and city  
234 or consolidated town and borough;

235 (n) "Nonprofit organization" means a municipality or nonprofit  
236 corporation as defined in section 33-1002 and organized under the  
237 laws of this state and for purposes of this chapter includes any  
238 constituent unit of the state system of higher education;

239 (o) "Planning commission" means a planning and zoning  
240 commission designated pursuant to section 8-4a or a planning  
241 commission created pursuant to section 8-19;

242 (p) "Project" means a municipal development project or business  
243 development project;



244 (q) "Project area" means the area within which a municipal  
245 development project or business development project is located;

246 (r) "Real property" means land, buildings and other structures and  
247 improvements thereto, subterranean or subsurface right, any and all  
248 easements, air rights and franchises of any kind or nature;

249 (s) "Site and infrastructure improvements" means improvements to:  
250 (1) Sanitary sewer facilities; (2) natural gas pipes, electric, telephone  
251 and telecommunications conduits and other facilities and waterlines  
252 and water supply facilities, except for any such pipes, wires, conduits,  
253 waterlines or any such pipes, wires, conduits, waterlines or facilities  
254 which a public service company, as defined in section 16-1, water  
255 company, as defined in section 25-32a, or municipal utility is required  
256 to install pursuant to any provision of the general statutes or any  
257 special act, regulation or order of the Department of Public Utility  
258 Control or a certificate of public convenience and necessity; (3) storm  
259 drainage facilities, including facilities to control flooding; (4) site  
260 grading, landscaping, environmental improvements, including  
261 remediation of contaminated sites, parking facilities, roadways and  
262 related appurtenances; (5) railroad spurs; (6) public port or docking  
263 facilities; and (7) such other related improvements necessary or  
264 appropriate to carry out the project;

265 (t) "State" means the state of Connecticut;

266 (u) "Targeted investment community" means a municipality which  
267 contains an enterprise zone designated pursuant to section 32-70;

268 (v) "Total project cost" means costs of any kind or nature relating to  
269 the planning, implementation and completion of a municipal or  
270 business development project;

271 (w) "Legislative body" means (1) the board of selectmen in a town  
272 that does not have a charter, special act or home rule ordinance  
273 relating to its government, or (2) the council, board of aldermen,  
274 representative town meeting, board of selectmen or other elected

275 legislative body described in a charter, special act or home rule  
276 ordinance relating to its government in a city, consolidated town and  
277 city, consolidated town and borough or a town having a charter,  
278 special act, consolidation ordinance or home rule ordinance relating to  
279 its government.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2010</i>	32-1c
Sec. 2	<i>July 1, 2010</i>	32-222

***Statement of Legislative Commissioners:***

In section (a)(24), the internal reference to "(11)" was changed to "[ (11) ]  
(12)" for accuracy.

***CE***            *Joint Favorable Subst.-LCO*